LARCIS 10/17 [initials]

A TRADITION OF SERVICE

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

INCIDENT REPORT

DATE 10/16/2020 PAGE 1 OF 3

ACTION:	NON-CRIMINAL	# OF ADULT ARRESTS	# OF SUBJECT DETENTIONS	URN# RETENTION	YEAR	SEQUENTIAL	REPORTING DISTRICT	STAT CODE	TAG#	CALL TIME
☒ ACTIVE ☐ INACTIVE ☐ PENDING	☐	0	0	0	20	15653	2136	013	254	1730 HRS

CLASSIFICATION 1 / LEVEL / STAT CODE
DEPUTY INVOLVED SHOOTING (SUSPECT DECEASED) / 013 (245(D)(1) PC/F/013

CLASSIFICATION 2 / LEVEL / STAT CODE
ASSUALT WITH A DEADLY WEAPON ON A PEACE OFFICER (FIREARM) 245~~(d)(1)~~ (c) PC / F / 055

CLASSIFICATION 3 / LEVEL / STAT CODE

CLASSIFICATION 4 / LEVEL / STAT CODE

ADDITIONAL STAT CODES: ☐ ASAP / 83 ☒ FIREARM RELATED / 830 ☐ GANG RELATED / 860 ☐ CYBER CRIME / 551 ☐ CYBER - RELATED CRIME / 552 ☐ CYBER - RELATED INCIDENT (NON - CRIMINAL) / 559 ☐ OTHER

DATE / TIME / DAY OF OCCURRENCE: 10-16-20 / 1730 HOURS / THURSDAY

☐ PRINTS REQUESTED ☐ PRINTS COMPLETED REQUESTED BY: TIME:

LOCATION OF OCCURRENCE: [redacted] 122ND STREET, LOS ANGELES CA 90222

BUSINESS NAME: N/A

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

CODE	# of	LAST NAME	FIRST NAME	MIDDLE NAME	SEX	RACE	DOB	AGE	DRIVER'S LICENSE / STATE ID
V	1 of 1	213E	PMS						

RESIDENCE ADDRESS: LOS ANGELES COUNTY DEPUTY SHERIFF CITY: STATE: ZIP: RESIDENCE PHONE (Area Code):

BUSINESS / SCHOOL (GRADE) ADDRESS: 11703 SOUTH ALAMEDA STREET CITY: LYNWOOD STATE: CA ZIP: 90262 BUSINESS PHONE (Area Code): (323) 568-4800

ETHNIC ORIGIN: EMAIL ADDRESS: SOCIAL NETWORKING ACCOUNT: CELL PHONE (Area Code):

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # 2 # # # # VICTIM DESIROUS OF PROSECUTION? VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? ENGLISH SPEAKING? ☐ YES ☐ NO LANGUAGE

CODE	# of	LAST NAME	FIRST NAME	MIDDLE NAME	SEX	RACE	DOB	AGE	DRIVER'S LICENSE / STATE ID
\									

RESIDENCE ADDRESS: CITY: STATE: ZIP: RESIDENCE PHONE (Area Code):

BUSINESS / SCHOOL (GRADE) ADDRESS: CITY: STATE: ZIP: BUSINESS PHONE (Area Code):

ETHNIC ORIGIN: EMAIL ADDRESS: SOCIAL NETWORKING ACCOUNT: CELL PHONE (Area Code):

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # # # # # VICTIM DESIROUS OF PROSECUTION? VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? ENGLISH SPEAKING? ☐ YES ☐ NO LANGUAGE

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

CODE	# of	LAST NAME	FIRST NAME	MIDDLE NAME	DOB	AGE	DRIVER'S LICENSE / STATE ID
S	1 of 1	DOE	JOHN		ADULT		

SEX	RACE	ETHNIC ORIGIN	HAIR	EYES	HEIGHT	WEIGHT	CELL PHONE (Area Code)
M	B		Black	Brown			

RESIDENCE ADDRESS: CITY: STATE: ZIP: RESIDENCE PHONE (Area Code):

BUSINESS / SCHOOL (GRADE) ADDRESS: CITY: STATE: ZIP: BUSINESS PHONE (Area Code):

AKA: EMAIL ADDRESS: SOCIAL NETWORKING ACCOUNT: ENGLISH SPEAKING? ☐ YES ☐ NO LANGUAGE

MONIKER: CHARGE: BOOKING NUMBER: WHERE DETAINED OR CITE NUMBER: N.I.C

CODE	# of	LAST NAME	FIRST NAME	MIDDLE NAME	DOB	AGE	DRIVER'S LICENSE / STATE ID
\							

SEX	RACE	ETHNIC ORIGIN	HAIR	EYES	HEIGHT	WEIGHT	CELL PHONE (Area Code)

RESIDENCE ADDRESS: CITY: STATE: ZIP: RESIDENCE PHONE (Area Code):

BUSINESS / SCHOOL (GRADE) ADDRESS: CITY: STATE: ZIP: BUSINESS PHONE (Area Code):

AKA: EMAIL ADDRESS: SOCIAL NETWORKING ACCOUNT: ENGLISH SPEAKING? ☐ YES ☐ NO LANGUAGE

MONIKER: CHARGE: BOOKING NUMBER: WHERE DETAINED OR CITE NUMBER:

BY DEPUTY: ARELLANO, I. EMPLOYEE #: [redacted] SWORN EXP IN YRS: 1

DEPUTY: JAUCH, TY. EMPLOYEE #: [redacted] SWORN EXP IN YRS: 9 VACATION DATES: NONE

STATION: CENTURY UNIT / CAR #: 216D SHIFT: P

APPROVED: SGT. CRETA, M. EMPLOYEE #: [redacted] DATE / TIME: 101720 @ 0838

PCD SUBMITTED?: NO VACATION DATES: NONE

ASSIGNMENT: HOMICIDE

HQ NOTIFICATION REQUESTED?: NO DEPUTY: DATE / TIME: SPECIAL REQUEST DISTRIBUTION:

SUSPECT / SUBJECT FIELD RELEASE APPROVED BY: DATE / TIME: CRIME BROADCAST BY: DATE / TIME: SECRETARY:

76C300F - SH-R-49 (Rev. 4/2014)

FAXED TO HOMICIDE ON 10/17 @ 1034HRS TO 323/727-2023 [initials] 10/17

A TRADITION OF SERVICE

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

INCIDENT REPORT

URN# 020-15653-2136-013
TAG # 254
DATE 10/16/2020
PAGE 2 OF 3

VEHICLE	LICENSE (STATE & NUMBER)	YEAR	MAKE	MODEL	BODY TYPE	COLOR
VEHICLE FOR VICTIM #						
VEHICLE FOR SUSPECT #	REGISTERED OWNER	IDENTIFYING FEATURES				
STATUS	CHP 180 SUBMITTED?	GARAGE NAME & PHONE				
DESCRIPTION OF DAMAGE						

VEHICLE	LICENSE (STATE & NUMBER)	YEAR	MAKE	MODEL	BODY TYPE	COLOR
VEHICLE FOR VICTIM #						
VEHICLE FOR SUSPECT #	REGISTERED OWNER	IDENTIFYING FEATURES				
STATUS	CHP 180 SUBMITTED?	GARAGE NAME & PHONE				
DESCRIPTION OF DAMAGE						

SCREENING FACTORS

- ☐ 1. SUSPECT IN CUSTODY
- ☐ 2. SUSPECT NAMED / KNOWN
- ☐ 3. UNIQUE SUSPECT IDENTIFIERS
- ☐ 4. VEHICLE IN CUSTODY
- ☐ 5. UNIQUE VEHICLE IDENTIFIERS
- ☒ 6. WRITER/REVIEWER DISCRETION

PROPERTY CODE:

S – STOLEN • R – RECOVERED • L – LOST • F – FOUND • E – EMBEZZLED • D – DAMAGED • K – SAFEKEEPING
(Use all applicable Codes; for example, if property is both Stolen and Recovered, Code is S/R)

RELEASED TO

CODE	ITEM #	QUAN.	DESCRIPTION (Include kind of article, trade name, identifying numbers, physical description, material, color, condition, age and present market value)	SERIAL #	VALUE

We responded to [redacted] 122nd Street in Los Angeles regarding a deputy involved shooting.

Upon arrival, we entered the backyard of [redacted] 121st Street and saw a male black adult (S/Doe) lying on the ground. S/Doe's head was facing north and his feet were facing south. We observed a black semi-automatic firearm on the ground just south of his feet.

S/Doe was bleeding from an apparent gun shot wound to his upper body. Los Angeles County Fire Department Engine # 41 under the command of Captain Ysais responded and treated S/Doe on scene for his injuries. Paramedic Johnson pronounced S/Doe deceased at 1805 hours.

We initiated a major incident log and secured the scene.

Los Angeles County Homicide Bureau was notified at 1845 hours. Homicide Sergeant O'Brien #[redacted] and Detective Dimmitt #[redacted] responded to assumed command of the scene.

Scientific Services Bureau Forensic Identification Specialists Lopez #[redacted] and Hanna #[redacted] responded and processed the scene at 0015 hours.

Los Angeles County Coroner Investigator Darabedyan #[redacted] responded and took possession of S/Doe's body (Coroner's Case # 2020-09706) 0130 hours .

Following Homicide Bureau's investigation, the scene was released and the vehicle noted above was impounded at Kruger Tow in Compton at 0230 hours.

We notified the Century Station Watch Commander of the incident.

MEMORANDUM

TO: [redacted]
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Fatal Officer Involved Shooting of Fred Allen Williams
J.S.I.D. File #20-0407
L.A.S.D. File #020-15653-2136-013

DATE: October 3, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 16, 2020, fatal shooting of Fred Allen Williams by Los Angeles County Sheriff's Department (LASD) Deputy Adrian Ines. We have concluded that there is insufficient evidence to prove beyond a reasonable doubt that Deputy Ines did not act in lawful self-defense.

The District Attorney's Command Center was notified of the shooting on October 16, 2020 at approximately 7:06 p.m. The District Attorney Response Team responded to the location and were given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

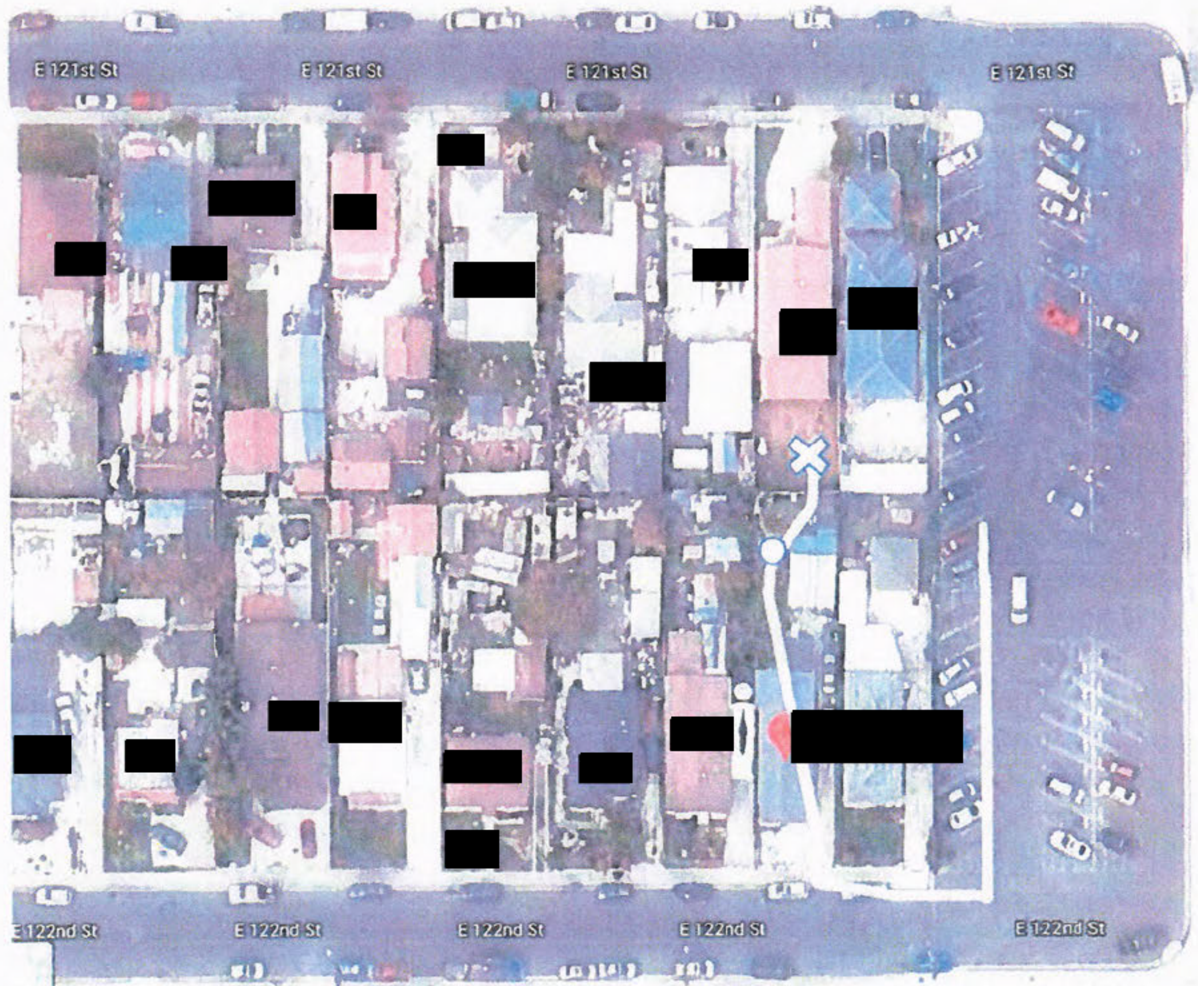
The following analysis is based on investigative reports, dispatch recordings, body worn video recordings (BWV), photographic evidence, the coroner's autopsy report and witness statements submitted to this office by LASD Detectives Chris Dimmit and John O'Brien. The voluntary statement of Deputy Ines was considered as part of this analysis.

FACTUAL ANALYSIS

On October 16, 2020 at approximately 5:30 p.m., LASD Deputies Adrian Ines and Shane Lattuca were in their marked black and white police vehicle, patrolling the area of Mona Park, in the City of Compton. The deputies saw a group of people congregating in the parking lot. Fred Allen Williams was part of that group. Upon making eye contact with the deputies, Williams broke away. Ines observed Williams to be carrying a gun. Ines chased Williams on foot and Lattuca followed them in the patrol vehicle.

Williams ran southbound through the parking lot, turned west on East 122nd Street and then ran northbound through a driveway off that street. Ines rounded the corner in pursuit and then saw Williams at the back of the property on top of a shed that butted up against a cinderblock wall that encompassed the perimeter of the neighboring yard. Ines saw Williams turn back towards him and stated he observed a gun in Williams' right hand. Ines fired his duty weapon eight times in

Williams' direction. One round struck Williams in the back left shoulder and ultimately lodged in his liver. Deputies attempted to administer first aid until paramedics arrived. Williams was pronounced dead at 6:45 p.m. A Taurus handgun was recovered near Williams' body.



Google Map with a white line showing the path Ines pursued Williams on foot from the Mona Park parking lot to the location where the officer involved shooting occurred. The circle marks the spot where the OIS occurred. The "X" marks the spot where Williams' body ultimately came to rest.

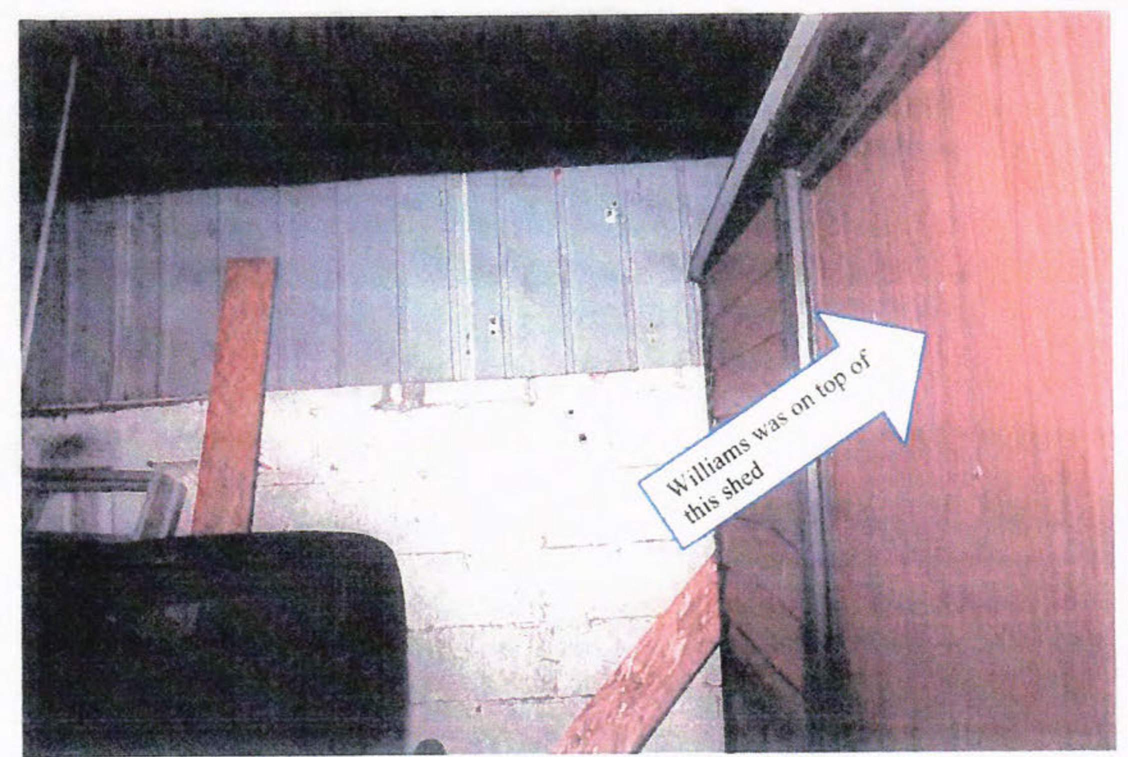


Photo depicting four bullet holes (marked C, D, E, and F) in the wall next to the shed.

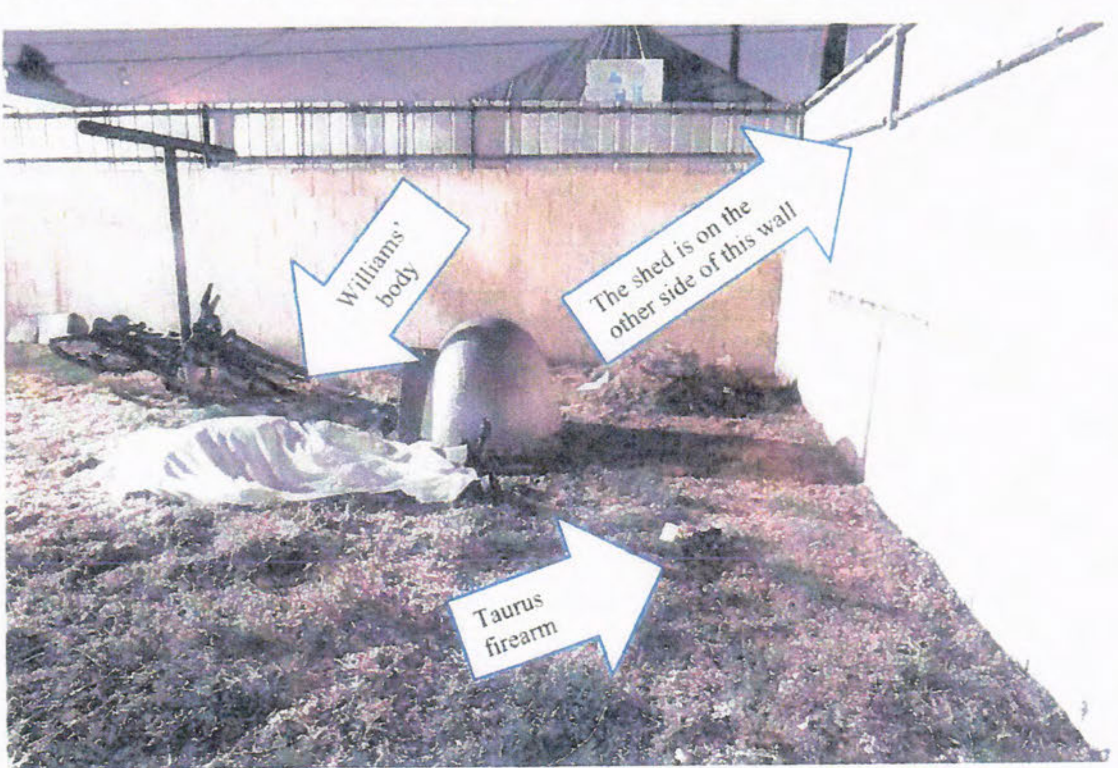


Photo depicting where Williams' body came to rest in relation to the firearm that was recovered.

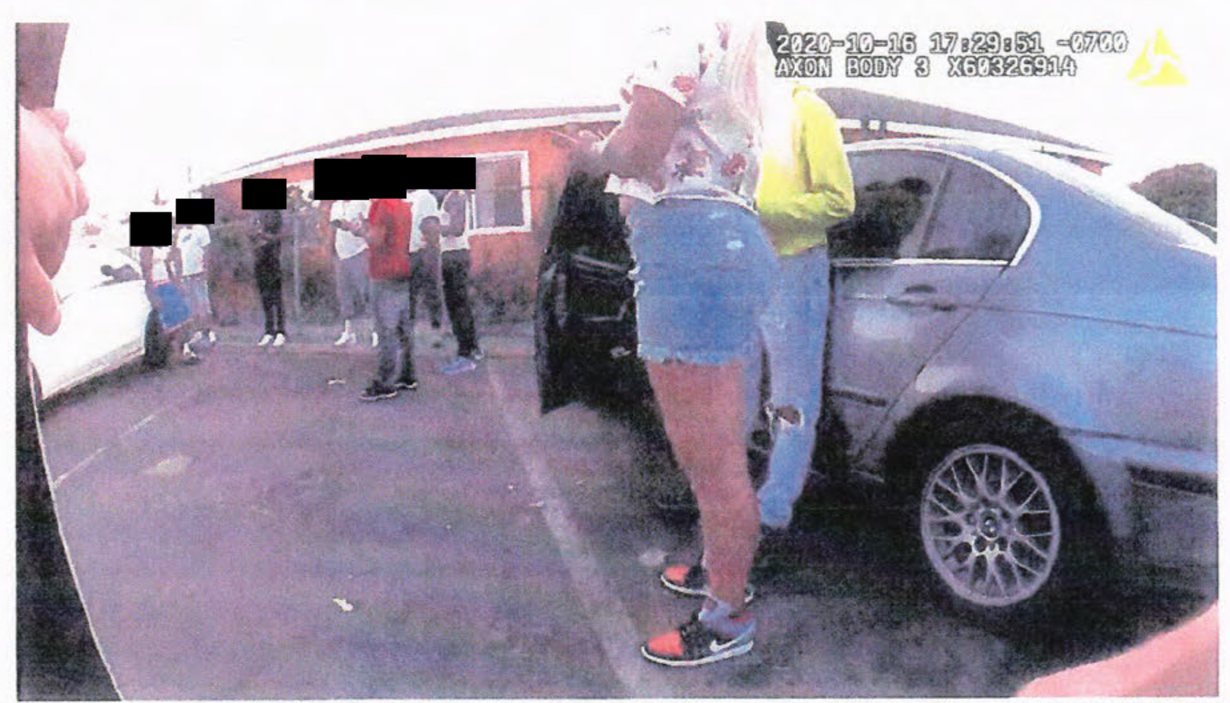


The Taurus firearm recovered near Williams' foot.

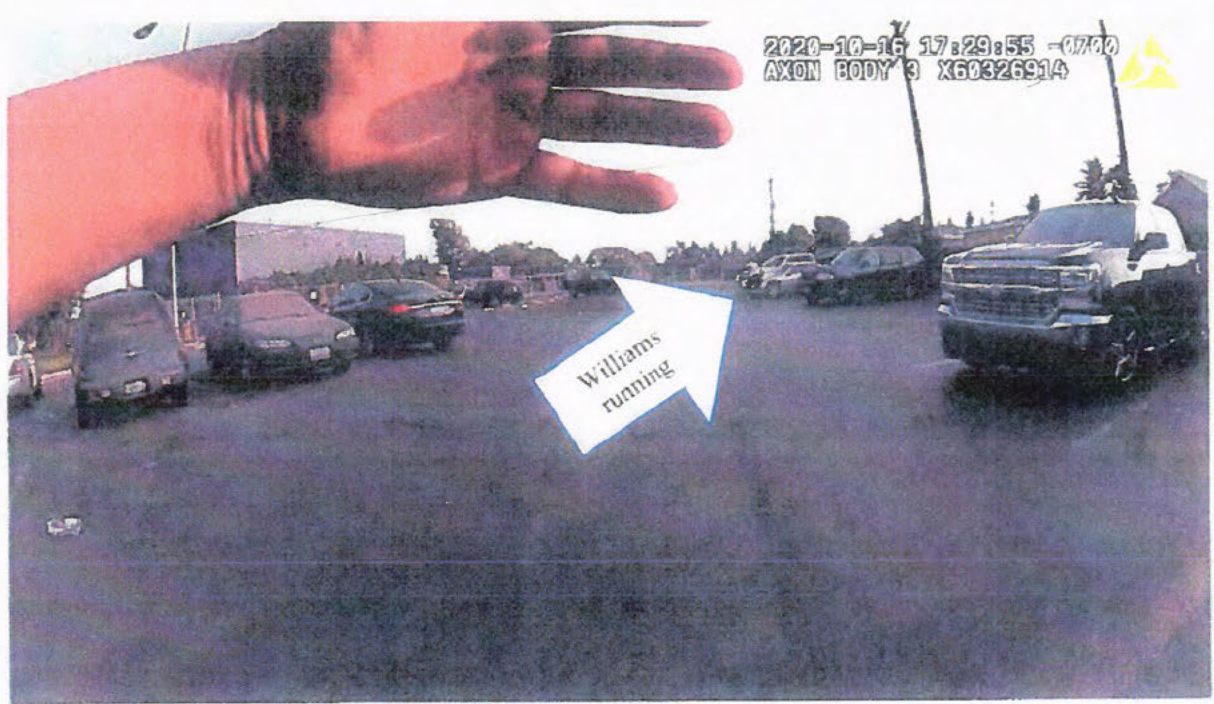
BODY WORN VIDEO

Ines' BWV begins as he and Lattuca are in their patrol car approaching a group of people congregating in a parking lot. Williams promptly separates from the group and runs away. Ines gets out of the passenger side of the police car and chases Williams. Ines chases Williams through the parking lot, across a street and onto a nearby driveway. They both make a left turn around the house and then a right turn around a detached garage towards the back of the property. While Ines is running, he is holding his gun in his right hand that can periodically be seen as he pumps his arms.

When Ines turns the corner between the house and the detached garage he yells, "Hands! Hands!" Williams is so far ahead of Ines at that time that he cannot be seen in the BWV. Ines continues running towards the back of the property with his weapon in his hand. Against the back wall of the property is a shed. As Ines runs to the end of the detached garage, Ines is fully exposed. Williams then appears in the BWV frame standing on top of the shed looking over the wall. Ines extends his firearm towards Williams and blocks the view of Williams as Ines yells, "Ay! Hands! Hands! Put your hands up!" Williams appears to turn his head back towards Ines just before jumping over the wall. As Williams goes over the wall, a black object resembling a handgun can be seen in his right hand. Ines first shot is fired as Williams appears to be jumping over the wall. The latter shots are fired after Williams is already over the wall. This portion of the incident occurs very rapidly. Per the BWV this portion happens within one to two seconds.



BWV still photograph showing a group congregating in the parking lot as Ines and Lattuca pull up in their marked police car.



BWV still photograph showing Ines chasing Williams through the parking lot.



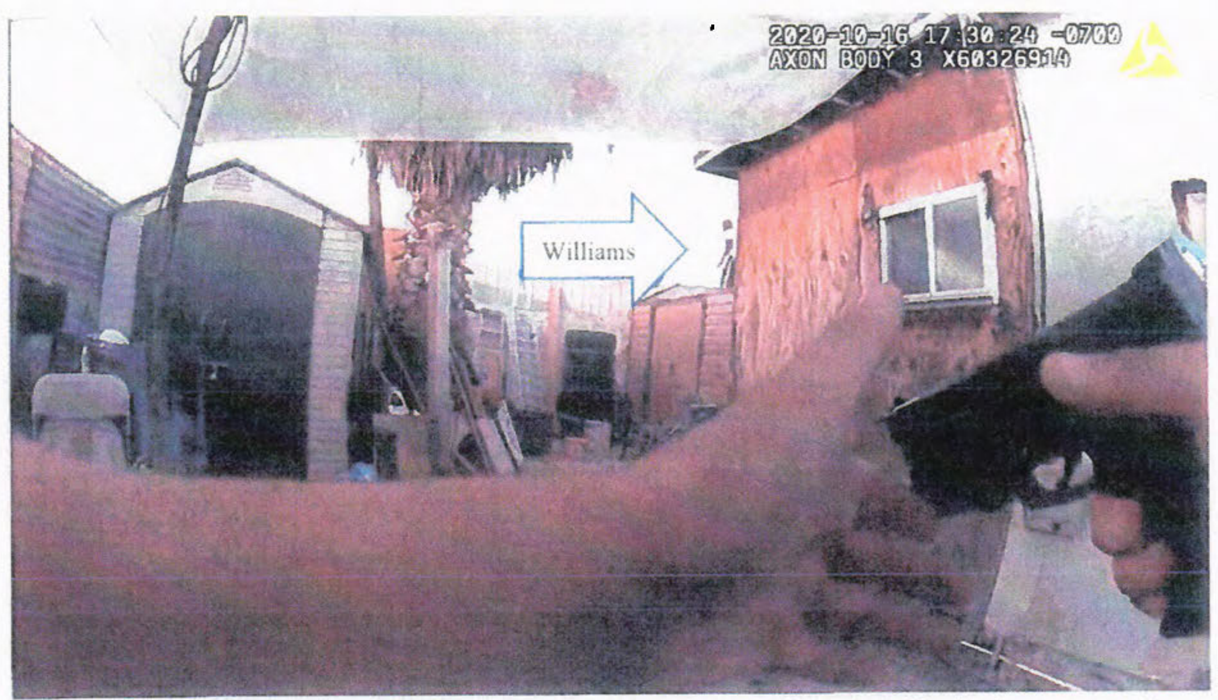
BWV still photograph showing the driveway Ines chased Williams down. Both turn left at the end of the driveway.



BWV still photograph showing the area between the house and detached garage. Ines and Williams turned right at the detached garage.



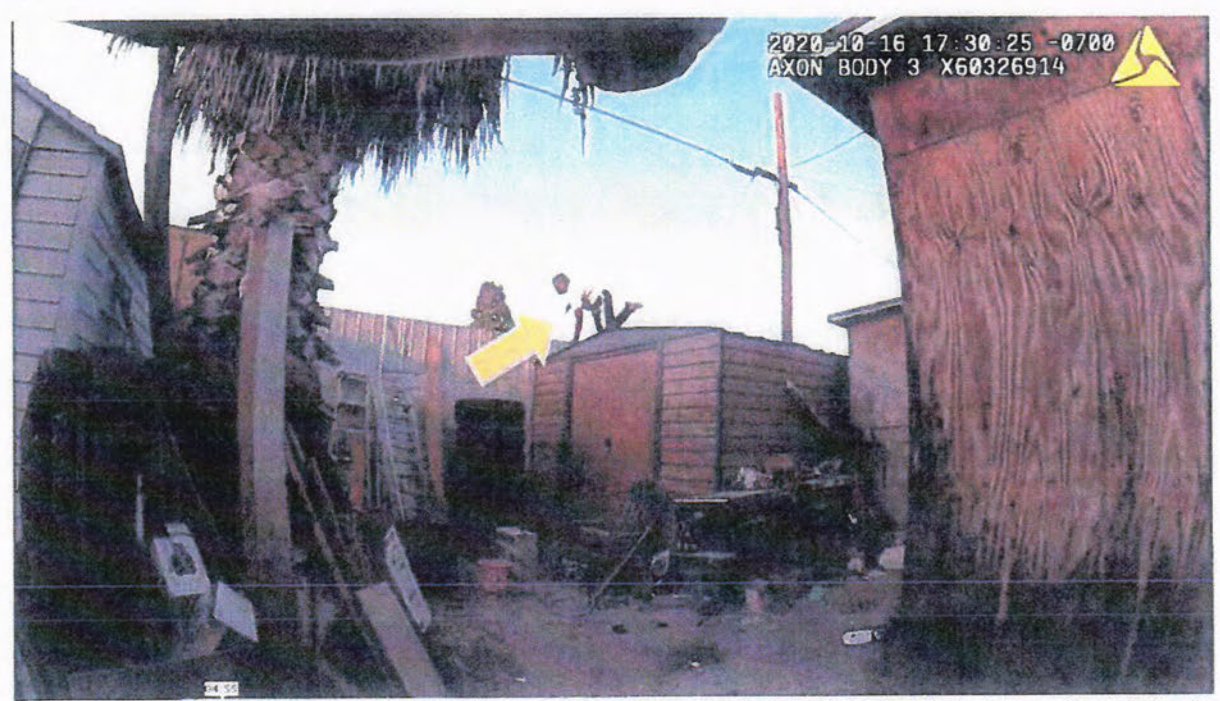
BWV still photograph showing the area between the side perimeter of the property and the detached garage. Ines and Williams headed towards the back of property.



BWV still photograph depicting the back of the property and the first time Williams is visible after Ines comes up the driveway.



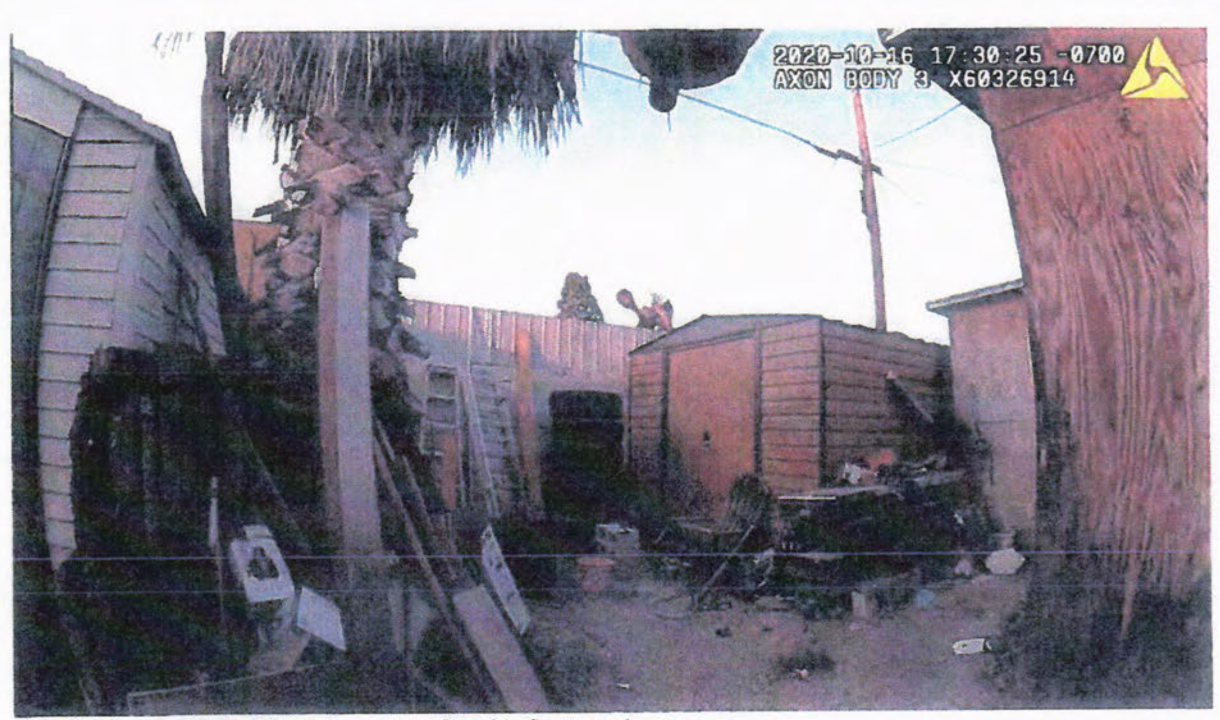
BWV still photograph depicting Williams on top of the shed looking back towards Ines as Ines yells, "Put your hands up!"



BWV still photograph of Williams going over the wall with a yellow arrow pointing at the black object in his right hand



Zoomed in BWV still photograph showing what appears to be a gun in Williams' right hand circled in red.



BWV still photograph of the moment Ines fired his first round.



BWV still photograph showing the location of the Taurus firearm from Ines' BWV after the OIS.

WITNESS STATEMENTS

Voluntary Statement of Deputy Adrian Ines

On October 22, 2020, at approximately 8:00 a.m., Ines gave a voluntary recorded statement to Detectives Dimmit and O'Brien regarding the shooting. Ines said that he and his partner were making a routine patrol check of Mona Park. There had been recent shootings, including a double homicide the night before. As Ines and Lattuca entered the parking lot, they smelled burnt marijuana and saw a crowd of fifteen to twenty people congregated in a circle outside their vehicles. Ines said as he got out of the car, the crowd was still except Williams, who moved away. Ines said he could see Williams looking at him, so Ines looked down at Williams' hands. Ines saw a black semiautomatic firearm in his hand. Ines said he locked eyes with Williams and Williams then ran southbound through the parking lot.

Ines said he saw Williams trying to stuff the black semiautomatic firearm into his pocket or somewhere on the right side of his body. Based on his training and experience, Ines believed Williams would try to discard the firearm during the foot pursuit. He tried to keep up so that if Williams discarded the firearm, Ines would see where. Ines said, "My train of thought was, we can't lose this firearm. We can't lose this person. He could, what if he was that person who killed those two juvies the night before?"

Ines said he began to "pie and slice" the corner around the driveway near the detached garage to locate Williams, who was on top of the shed. As he did this, Ines realized he was completely exposed, and Williams was looking at him. Ines began to raise his firearm since he still saw a firearm in Williams' right hand. As Ines began to look up, he saw Williams turn slightly to his left. Ines believed Williams was going to completely turn and face him. Ines said he saw Williams'

semiautomatic firearm, which was still in his right hand, begin to come above his waistline. Ines saw Williams' entire chest, the firearm above his waist and the barrel of the firearm pointed at Ines.

Ines said, "As he continued to turn, the black firearm was still in his hand and that's when I fired my weapon and began to retreat as I began to take steps back to prevent him from possibly killing me or gravely hurting me. And as I fire, I step back to pie away, so that way I have full cover. So at this point, I'm thinking This guy's gonna cut angle on me since he already had the high ground on me and I was completely exposed. And after that I lost sight of him momentarily and tried to pie back around and I didn't see him on top of the shed where I last saw him or down below."

Ines said he believed Williams had jumped over the fence or fallen over. Ines eventually climbed on top of the shed and saw Williams on the ground in the neighboring yard, face down. Ines saw the gun he previously saw in Williams' right hand now on the ground near Williams' right foot.

Coroner's Report

On October 21, 2020, at 10:00 a.m., Deputy Medical Examiner Vadims Poukens performed an autopsy on Williams and concluded the cause of death to be a single gunshot wound to the back. The entrance of the wound is situated at the left back 12 inches from the top of the head and seven inches left from the midline. There is no exit wound. The projectile was recovered from the liver 20 inches from the top of the head and five inches right from the midline. The direction of the wound is left to right, downward and slightly back to front. The wound path entered through the skin, left rib #5 lateral with fracture, left lung, aorta, probable vertebra graze, right lung, diaphragm, and terminated in the right lobe of the liver.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code section 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also,* CALCRIM No. 505.

A peace officer is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons: (1) to defend against an imminent threat of death or serious bodily injury to the officer or to another person; or (2) to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Penal Code section 835a(c)(1)(A) & (B).

A threat of death or serious bodily injury is imminent when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one

that, from appearances, must be instantly confronted and addressed. Penal Code section 835a(e)(2).

When considering the totality of the circumstances, all facts known to or perceived by the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force, are taken into consideration. Penal Code section 835a(a)(4) & (e)(3). The peace officer's decision to use force is not evaluated with the benefit of hindsight and shall account for occasions when officers may be forced to make quick judgments about using force. Penal Code section 835a(a)(4).

Under the current use of force law, the reasonableness of an officer's use of deadly force is analyzed using a reasonable officer standard, not the reasonable person standard that was previously applied and articulated in *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1147. In evaluating whether a police officer's use of deadly force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight… The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation." *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. CALCRIM Nos. 505, 507.

The evidence examined in this investigation shows that Williams was carrying a firearm and Ines was pursuing him on foot. The BWV clearly shows that Williams was armed with a gun at the time of the officer involved shooting. Williams' position on top of the shed gave him the ability to fire at Ines. Though the footage does not show Williams turn and point the gun directly at Ines as Ines said, there is a short section of the BWV where Ines' hands and gun are blocking the body camera and Williams is not visible. Given this evidence, Ines' version of the events cannot be disproved beyond a reasonable doubt. Hence, based on the totality of the circumstances perceived by the deputy, rather than with the benefit of hindsight, it was not unreasonable for Ines to believe his use of deadly force was necessary to defend against an imminent threat of death.

CONCLUSION

We find the evidence presented is insufficient to prove beyond a reasonable doubt that Deputy Ines' stated belief that deadly force was necessary was not reasonable.